IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

Crl.Rev.Pet.No. 134 of 2000()

CRA.304/1998 of ADDL.SESSIONS COURT-II, KOZHIKODE
CC.34/1996 of JUDL.MAGISTRATE OF FIRST CLASS, KOYILANDY

.....

REVN. PETITIONER:

PARAKANDIYIL SATHYAN, AGED 32
S/O. MADHAVAN NAIR, BALUSSERI AMSOM,
THURUTHIYAD DESOM, KOZHIKODE.

BY ADV. SRI.G.PRABHAKARAN
SRI.S.KRISHNAKUMAR

RESPONDENTS:

STATE OF KERALA REP. BY THE SUB INSPECTOR OF
POLICE, ATHOLI REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA.

BY /

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 14/03/ 2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON CRL.M.P. NO. 837/2000 IN CRL. R.P. NO. 134/2000

DISMISSED

14.03.2007 SD/- K.R. UDAYABHANU, JUDGE.

/True Copy/

P.A to Judge.

K.R. UDAYABHANU, J

==========

CRL. R.P. NO. 134 OF 2000

==========

Dated this the 14th day of March 2007

O R D E R

The revision petitioner stands convicted for the offence under section 279 and 337 of the Indian Penal Code and sentenced, as modified by the appellate court, to pay a fine of Rs.1,000/- for the offence under section 279 and in default to undergo simple imprisonment for three months and to pay a fine of Rs. 500/- for the offence under section 337 of IPC and in default to undergo simple imprisonment for one month and also to pay a compensation of Rs.2,000/- each to PWs 1 and 2 and also his driving licence ordered to be suspended for three months.

2. It is submitted that the fine amount as well as the compensation amount has been remitted before the court below. It is contended that the suspension of driving licence is not contemplated with respect to the offence under section 279 and 337 of IPC. In the instant case I find that section 22 of the Motor

Vehicles Act will not be attracted. Hence, the sentence suspending driving licence is set aside.

The Crl. R.P is allowed accordingly.

K.R. UDAYABHANU, JUDGE.

RV